

\Prob 12C (7/93)

# UNITED STATES DISTRICT COURT

for

## WESTERN DISTRICT OF TEXAS

### **Petition for Warrant or Summons for Offender Under Supervision**

**Name of Offender:** Octavio Amparan TN: OCTAVIO AMPARAN, JR.

**Case Number:** EP: 18-CR-01732-KC(1)

**Name of Sentencing Judicial Officer:** Philip R. Martinez, U.S. District Judge

**Date of Original Sentence:** November 29, 2018

**Original Offense:** Conspiracy to Transport Non-Citizens, a violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I), (a)(1)(A)(ii) and (a)(1)(B)(i)

**Original Sentence:** Eighteen (18) months custody followed by three (3) years supervised release

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:** September 12, 2022

**Assistant U.S. Attorney:** Sarah Valenzuela

**Defense Attorney:** Selena N. Solis

### **PREVIOUS COURT ACTION**

On September 6, 2023, the case was reassigned to Judge Kathleen Cardone.

On September 25, 2023, Amparan's supervised release was revoked, and he was sentenced to Time Served followed by two (2) years supervised release due to committing another federal state or local crime and failing to notify his supervising officer within 72 hours of being arrested. **The new term of supervised release commenced on October 5, 2023.**

On November 30, 2023, the Court modified the term of supervision to include participation in the 90-day Relapse Prevention Program at the El Paso Rescue Mission.

### **PETITIONING THE COURT**

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following conditions of supervision:

**Violation Number 1:** The Defendant shall not commit another federal, state, or local crime during the term of supervision.

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**Nature of Noncompliance:** According to a Complaint Affidavit, on December 4, 2023, an officer with the El Paso Police Department assigned to the Auto Theft Task Force was driving an unmarked unit when the officer noticed a Black Chevrolet Avalanche driving at a high rate of speed. This vehicle caught the attention of the officer due to a Denver Broncos decal in the rear windshield. The officer recalled from reading stolen vehicle reports, of a black Chevrolet Avalanche with a Denver Broncos decal, that was reported stolen. The officer proceeded to continue to follow the black Avalanche and requested a marked unit for assistance in conducting a traffic stop, to check if the vehicle was the stolen avalanche. The officer observed the black avalanche continuing to drive at a high rate of speed and passing vehicles until it came to a complete stop in front of an abandoned Carl's Jr. restaurant. The driver then exited the vehicle and began running towards the Sun Metro bus terminal. At this time, the officer in the unmarked vehicle continued to follow the subject in his own vehicle and was shouting out his window for the subject to stop running several times and even shouted, "Police Stop". During the pursuit the subject was observed turning around in which the officer observed a muzzle flash and could hear the distinctive sound of a firearm. The officer took cover behind the steering wheel as he continued to drive towards the subject. Finally, after a continued pursuit the officer drove up to the subject and ordered him to the ground at gunpoint. At that time assisting units arrived at the scene and the subject who was later identified as Octavia Amparan was arrested. While searching Amparan, officers found a clear bag with a white in color crystal-like substance in Amparan's right shorts pocket. The substance was transported back to the Regional Command Center to be tested using the NIK test kit. The crystal-like substance yielded positive results for methamphetamines and the substance was weighed and it had a gross aggregate weight of 14.43 grams. Amparan is currently in custody at the El Paso County Detention Facility and is being charged with: Count One: Aggravated Assault with a Deadly Weapon and Count Two: Possession of a Controlled Substance PG 1/1B>=4G<200G.

**Violation Number 2:** The Defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

**Nature of Noncompliance:** There is no evidence Amparan attempted to contact his supervising officer within 72 hours of him being arrested on December 4, 2023.

**Violation Number 3:** The Defendant shall not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed or modified, for the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

**Nature of Noncompliance:** According to a Complaint Affidavit, the El Paso Police Department officer that was in pursuit of Amparan reported Amparan discharged a firearm in the direction of the police officer. The report further states that officers located the firearm to include the casing at the scene of the crime.

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**U.S. Probation Officer Recommendation:**

The term of supervision should be

☒ revoked.

☐ extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

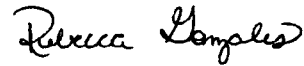
☐ modified as follows:

Respectfully submitted,



Matthew Alvarado  
U.S. Probation Officer  
Office (915) 585-5566  
Cellular (915) 412-4101

Approved by,



Rebecca Gonzales  
Supervising U.S. Probation Officer  
Office (915) 585-6559  
Cellular (915) 861-8572

Date: December 13, 2023

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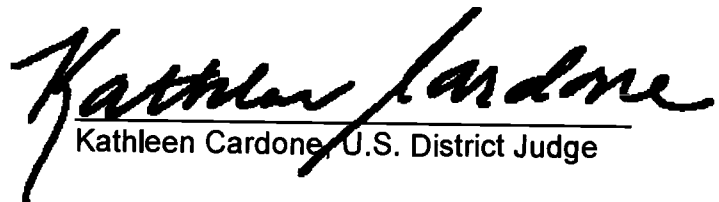
**THE COURT ORDERS:**

☐ No action.

☒ The issuance of a warrant.

☐ The issuance of a summons.

☐ Other

  
Kathleen Cardone, U.S. District Judge

December 14, 2023

Date \_\_\_\_\_